



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

K-2010DIV2

Applicant : Itaru Fukushima et al.
Title : PRINTER WITH CUTTING DEVICE
Serial No. : 10/804,072
Filed : March 19, 2004
Group Art Unit : 2854
Examiner : Marissa L. Ferguson

Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

November 18, 2004

RESPONSE

Sir:

This is a response to the Office Action of August 23, 2004.

In paragraph 1 of the Action, claims 1-4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuzawa (US 6,243,157) in view of Funato (US 2002/0191992). In paragraph 2 of the Action, claims 5 and 6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuzawa in view of Funato as applied to claims 1-4 above, further in view of Sato et al. (US 5,229,827). In paragraph 3 of the Action, claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuzawa in view of Funato and Sato et al. as applied to claims 5 and 6 above, further in view of Obertegger (2004/0041991). In paragraph 4 of the Action, claims 8 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuzawa in view of Funato, Sato et al. and Obertegger as applied to claim 7 above, further in view of Larson (5,307,092).

With respect to the rejections, the applicant would like to point out that this application is a divisional application of the application Serial No. 09/964,504 filed on September 28, 2001. Funato (US 2002/0191992) was filed on November 28, 2001, later than the filing date of the parent application. Therefore, Funato is not

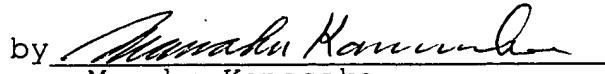
the prior art of the application.

Incidentally, in regard to Obertegger, the priority date of the present application is earlier than the filing date of December 29, 2000.

Reconsideration and allowance are earnestly solicited.

Respectfully submitted,

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